

In the United States District Court
Middle District for Pennsylvania

(26)

COPY

Douglas Henry Thornton
Plaintiff

Vs.

Civil No. 1: CV 00 1590

Judge Kane

Associate Warden, Lindsey et al.
Defendants

Notice of Appeal
motion to proceed in forma pauperis
Title 28 U.S.C. Section 1915.

Now comes the said Plaintiff, Douglas Henry Thornton and file this notice of Appeal to the United States Court of Appeal for the third Circuit Court of Appeal. Appealing the June 22, 2001 order dismissing this action without prejudice by the United States District of middle District of Pennsylvania and for leave to proceed in forma pauperis title 28 USC. 1915. That all of the above be grant for the following reasons.

1. That this appeal is taken in good faith and in the interest of Justice.
2. That the reason that this action was dismissing by the United States District Court middle of Pennsylvania is prejudice. Plaintiff did in fact file all available administrative remedies he could or was allow to. Plaintiff attached all of the remedies to the Complaint forms.

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3. The Federal Bureau of Prison administrative remedies for Federal prisoner. Do not allow monetary damage award to Federal prisoner. Plaintiff do seek monetary damage in this Complaint.

4. The Subject matters that are the Cause of this action are Constitutionally protected rights and interest.

5. Plaintiff received injury to his head and been taken numerous kind of medication.

6. All administrative remedies that Plaintiff filed was not answer to, or Plaintiff did not received their answer or administrative remedies receipts. Plaintiff did exhausted some administrative remedies and Attached them to the Complaint forms of this action. Before he was transferred on July 18, 2000 from USP Lewisburg to USP Allenwood some of Plaintiff property was lost or misplaced during the transfer. Plaintiff legal property was held from him for a month or more of which he wrote this court about in this case or Case No. CV-00-1255.

7. Plaintiff filed a Complaint to the Internal Affairs about the assaults on him by staff at USP Lewisburg. all of which is documented within the BOP and the District Court of this action.

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Conclusion

For reasons stated in this notice of Appeal. This Appeal should be allowed in the interest of Justice.

Do to the Constitutionally protected rights and Laws this Appeal should be allowed and ~~be~~ granted.

Do to the fact that the Plaintiff did in fact exhausted all administrative remedies on the Subject matters that the Cause of this action. Only the administrative remedies on rehearing and rewrite of these same matters are lacking in document in this case. Plaintiff Filed and exhausted all remedies that he could or was all. Plaintiff was transfere on July 18 2000, Some of his legal property was missing ~~and~~ when it was return to him month later.

Plaintiff Filed other available Complaints with in the Federal Bureau of Prison See Motion for reconsideration filed by plaintiff and it attachment.

If the motion for reconsideration is granted disregard this notice of appeal.

United States Court of Apped
Third Circuit
601 Market St
Philadelphia PA

19106-1790

C.C. U.S.D.C.

Respectfully Submitted
Darius H. Thornton
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